

## Express Mail No. EV546120017US

FORM PTO-1390  
(Rev. 12-2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

Attorney's Docket Number

TIP-0072USPCT

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. Application No. (if known, see 37 CFR 1.5)

**10/555712**International Application No.  
PCT/EP2004/050753International Filing Date  
10 May 2004Priority Date Claimed  
8 May 2003Title of Invention  
HIV PRODRUGS CLEAVABLE BY CD26**IC06 Rec'd PCT/PTO 03 NOV 2004**

Applicant(s) for DO/EO/US

DE KOCK, Herman Augustins; WIGERINCK, Piet Tom Bert Paul; BALZARINI, Jan

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau), as well as the Published Application No. WO2004/099135A2 A2; WO2004/099135A2 A3
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) has been filed in the PCT Request (Rule 4.17 (iv)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Certificate Under 37 CFR 3.73 (b); Power of Attorney; PCT Notification of the Recording of a Change; Sequence Listing (paper); Sequence Listing (Diskette); Return Receipt Postcard & Express Mail Certificate

## Express Mail No. EV546120017US

U.S. Application No. (if known, see 37 CFR 1.25) <b>10/555712</b>		International Application No. <b>PCT/EP2004/050753</b>		Attorney's Docket Number <b>TIP-0072USPCT</b>																																																																													
17. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b>  Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO <b>\$1080.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO <b>\$ 920.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.455(a)(2)) paid to USPTO <b>\$ 770.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) <b>\$ 730.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) <b>\$ 100.00</b>  <b>ENTER APPROPRIATE BASIC FEE AMOUNT = \$ 920.00</b>				<b>CALCULATIONS PTO USE ONLY</b>																																																																													
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). <table border="1"> <tr> <td>Claims</td> <td>Number Filed</td> <td>Number Extra</td> <td>Rate</td> <td></td> <td></td> </tr> <tr> <td>Total Claims</td> <td>28-20 = 8</td> <td>8</td> <td>x \$ 18.00</td> <td>\$ 144.00</td> <td></td> </tr> <tr> <td>Independent Claims</td> <td>1-3 =</td> <td>0</td> <td>x \$ 88.00</td> <td>\$ 0.00</td> <td></td> </tr> <tr> <td colspan="3">Multiple Dependent Claim(s) (if applicable)</td> <td>+ \$290.00</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td><b>\$920.00</b></td> <td></td> </tr> <tr> <td colspan="4"> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2         </td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4"><b>SUBTOTAL =</b></td> <td><b>\$1064.00</b></td> <td></td> </tr> <tr> <td colspan="4">         Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).       </td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4"><b>TOTAL NATIONAL FEE =</b></td> <td><b>\$ 920.00</b></td> <td></td> </tr> <tr> <td colspan="4">         Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +       </td> <td></td> <td></td> </tr> <tr> <td colspan="4"><b>TOTAL FEES ENCLOSED =</b></td> <td><b>\$ 1064.00</b></td> <td></td> </tr> <tr> <td colspan="4"></td> <td>Amount to be refunded:</td> <td>\$</td> </tr> <tr> <td colspan="4"></td> <td>charged:</td> <td><b>\$ 1064.00</b></td> </tr> </table>						Claims	Number Filed	Number Extra	Rate			Total Claims	28-20 = 8	8	x \$ 18.00	\$ 144.00		Independent Claims	1-3 =	0	x \$ 88.00	\$ 0.00		Multiple Dependent Claim(s) (if applicable)			+ \$290.00	\$		<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$920.00</b>		<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2				\$		<b>SUBTOTAL =</b>				<b>\$1064.00</b>		Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$		<b>TOTAL NATIONAL FEE =</b>				<b>\$ 920.00</b>		Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +						<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 1064.00</b>						Amount to be refunded:	\$				
Claims	Number Filed	Number Extra	Rate																																																																														
Total Claims	28-20 = 8	8	x \$ 18.00	\$ 144.00																																																																													
Independent Claims	1-3 =	0	x \$ 88.00	\$ 0.00																																																																													
Multiple Dependent Claim(s) (if applicable)			+ \$290.00	\$																																																																													
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$920.00</b>																																																																													
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2				\$																																																																													
<b>SUBTOTAL =</b>				<b>\$1064.00</b>																																																																													
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$																																																																													
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 920.00</b>																																																																													
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +																																																																																	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 1064.00</b>																																																																													
				Amount to be refunded:	\$																																																																												
				charged:	<b>\$ 1064.00</b>																																																																												

a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 10-0750/TIP0072USPCT/AGK in the amount of \$920.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 10-0750/ TIP0072USPCT/AGK. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:  
 Philip S. Johnson, Esq.  
 Johnson & Johnson  
 One Johnson & Johnson Plaza  
 New Brunswick, NJ 08933-7003  
 USA

Alana G. Kriegsman  
 Signature

Alana G. Kriegsman  
 Name

November 4, 2005  
 Dated

41,747  
 Registration Number

10/555712  
JC20 Rec'd PCT/PTO 03 NOV 2005

Express Mail Label No. EV 546120017 US  
Docket No. TIP0072-USPCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: DE KOCK, Herman Augustins  
WIGERINCK, Piet Tom Bert Paul  
BALZARINI, Jan

For: HIV PRODRUGS CLEAVABLE BY CD26

Express Mail Certificate

"Express Mail" mailing number: EV 546120017 US

Date of Deposit: November 4, 2005

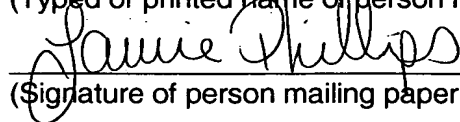
I hereby certify that this entry into the National Phase pursuant to 35 USC 371 contains complete application:

<input checked="" type="checkbox"/>	Express Mail Certificate	(1 page)
<input checked="" type="checkbox"/>	Return Receipt Postcard	(1 page)
<input checked="" type="checkbox"/>	PCT FORM 1390 Transmittal	(2 pages & copy)
<input checked="" type="checkbox"/>	Copy of International Application WO2004/099135 A2 & WO2004/099135A3))	(60 total pages)
<input checked="" type="checkbox"/>	Specification	(45 pages)
<input checked="" type="checkbox"/>	Drawings	(5 pages)
<input checked="" type="checkbox"/>	Verified Statement Under 37 CFR §1.821(f)	(1 page)
<input checked="" type="checkbox"/>	Gene Sequence Listing – Paper Copy	(2 pages)
<input checked="" type="checkbox"/>	Diskette: Gene Sequence Listing in Computer Readable Format (txt. And PatIn 3.3)	(1)
<input checked="" type="checkbox"/>	Copy of PCT Request & Declaration	(12 pages)
<input checked="" type="checkbox"/>	Power of Attorney	(1 page)
<input checked="" type="checkbox"/>	Certificate under 37 CFR 3.73(b)	(6 pages)
<input checked="" type="checkbox"/>	Preliminary Amendment	(9 pages)
<input checked="" type="checkbox"/>	PCT Notification of the Recording Of a Change	(1 page)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee; service under 37 CFR 1.10 on the date indicated above is addressed to the Mail Stop: PCT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450..

Laurie Phillips

(Typed or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)